

## REMARKS

### I. Introduction

Claims 21 to 27 and 44 to 47 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### II. Rejection of Claims 21, 22, 24, 25, and 27 Under 35 U.S.C. § 103(a)

Claims 21, 22, 24, 25, and 27 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 6,003,305 (“Martin et al.”), U.S. Patent No. 5,932,885 (“DeBellis et al.”), and U.S. Patent No. 4,995,807 (“Rampley et al.”). It is respectfully submitted that the combination of Martin et al., DeBellis et al., and Rampley et al. does not render unpatentable the present claims for at least the following reasons.

Claim 21 recites that a method for operating an afterburner device for the afterburner device having a nozzle for metering in at least one of fuel, residual gases, and air, into a combustion chamber that is filled at least in part with foamed ceramics, and having a discharge opening for discharging combustion gases, includes, *inter alia*, regulating a quantity of the recirculated combustion gases as a function of the recorded speed of combustion.

The Final Office Action admits on page 3 that Martin et al. “does not teach... regulating a quantity of the recirculated combustion gases as a function of the recorded speed of combustion.” Further, DeBellis et al. do not cure this deficiency. DeBellis et al. describe a thermophotovoltaic electric generator, including, a combustion chamber 104, a recuperator section 121, and a wall 142, where combustion gases burned in combustion chamber 104 pass through recuperator section 121 and transfer heat across wall 142 to vaporize incoming liquid fuel stream 12. Nowhere do DeBellis et al. mention regulating a quantity of recirculated combustion gases as a function of a recorded speed of combustion.

Instead, the Examiner asserts that Rampley et al. in column 5, lines 5 to 26 and column 6 lines 29 to 50, teach this feature. However, nowhere in the cited text or anywhere else, do Rampley et al. disclose regulating a quantity of the recirculated combustion gases as a function of the recorded speed of combustion. Rampley et al. merely disclose slowing the speed of combustion by diluting incoming fuel with recirculated flue gas. Rampley et al. do not disclose regulating a

quantity of recirculated combustion gases as a function of a recorded speed of combustion. This is because Rampley et al. is merely concerned with reducing the speed of combustion.

Thus, while Rampley et al. disclose recirculating a gas, nowhere do they disclose regulating a quantity of it, and certainly not regulating a quantity as a function of a recorded speed of combustion. In summary, recirculating in order to dilute in order to slow down the speed of combustion, as disclosed in Rampley et al., is simply not the same as recirculating a quantity of gas and regulating the quantity based on the speed of combustion, as in the present claim.

As such, it is respectfully submitted that the combination of Martin et al., DeBellis et al., and Rampley et al. does not render unpatentable claim 21, or claims 22, 24, 25, and 27, which depend from claim 21.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

### **III. Rejection of Claim 23 Under 35 U.S.C. § 103(a)**

Claim 23 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Martin et al., DeBellis et al., Rampley et al., and U.S. Patent No. 6,422,745 (“Glasheen et al.”). It is respectfully submitted that the combination of Martin et al., DeBellis et al., Rampley et al., and Glasheen et al. does not render unpatentable claim 23 for at least the following reasons.

Claim 23 depends from claim 21 and therefore includes all of the features included in claim 21. As more fully set forth above, the combination of Martin et al., DeBellis et al., and Rampley et al. does not disclose, or even suggest, all of the features included in claim 21. Glasheen et al. is not relied upon for disclosing or suggesting the features of claim 21 not disclosed or suggested by the combination of Martin et al., DeBellis et al., and Rampley et al. Indeed, it is respectfully submitted that Glasheen et al. does not disclose, or even suggest, the features included in claim 21 not disclosed or suggested by Martin et al., DeBellis et al., and Rampley et al. As such, it is respectfully submitted that the combination of Martin et al., DeBellis et al., Rampley et al., and Glasheen et al. does not render unpatentable claim 23, which depends from claim 21.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**IV. Rejection of Claim 26 Under 35 U.S.C. § 103(a)**

Claim 26 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Martin et al., DeBellis et al., Rampley et al., and U.S. Patent No. 3,898,317 (“Hemsath et al.”). It is respectfully submitted that the combination of Martin et al., DeBellis et al., Rampley et al., and Hemsath et al. does not render unpatentable claim 26 for at least the following reasons.

Claim 26 depends from claim 21 and therefore includes all of the features included in claim 21. As more fully set forth above, the combination of Martin et al., DeBellis et al., and Rampley et al. does not disclose, or even suggest, all of the features included in claim 21. Hemsath et al. is not relied upon for disclosing or suggesting the features of claim 21 not disclosed or suggested by the combination of Martin et al., DeBellis et al., and Rampley et al. Indeed, it is respectfully submitted that Hemsath et al. does not disclose, or even suggest, the features included in claim 21 not disclosed or suggested by Martin et al., DeBellis et al., and Rampley et al. As such, it is respectfully submitted that the combination of Martin et al., DeBellis et al., Rampley et al., and Hemsath et al. does not render unpatentable claim 26, which depends from claim 21.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**V. Rejection of Claim 44 Under 35 U.S.C. § 103(a)**

Claim 44 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Martin et al., DeBellis et al., and Rampley et al. It is respectfully submitted that the combination of Martin et al., DeBellis et al., and Rampley et al. does not render unpatentable claim 44 for at least the following reasons.

Claim 44 depends from claim 21 and therefore includes all of the features included in claim 21. As more fully set forth above, the combination of Martin et al., DeBellis et al., and Rampley et al. does not disclose, or even suggest, all of the features included in claim 21. As such, it is respectfully submitted that the combination of Martin et al., DeBellis et al., and Rampley et al., does not render unpatentable claim 44, which depends from claim 21.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**VI. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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/Clifford A. Ulrich/  
By Clifford A. Ulrich (Reg. No. 59,210) for  
Gerard A. Messina (Reg. No. 35,952)

KENYON & KENYON LLP  
One Broadway  
New York, NY 10004  
(212) 425-7200

**CUSTOMER NO. 26646**